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REMARKS

Claims 1, 8, 39, 47, 49 and 52 have been amended to clarify the subject matter regarded as the invention. Claims 32-38 have been canceled to expedite examination. Claims 3, 6, 10 and 19-25 were previously canceled. Claims 1, 2, 4, 5, 7-9, 11-18, 26-31 and 39-66 remain pending after entry of this Amendment.

Reconsideration of the application is respectfully requested based on the following remarks.

RESTRICTION REQUIREMENT

In the Office Action, the Examiner withdrew claims 32-28 from consideration as being drawn to "an invention that is independent or distinct from the invention originally claimed" (Office Action, p. 2). Applicants respectfully disagree. Claims 32-38 are the same claims that were previously claims 19-25, which were original claims. Hence, the Examiner's reasoning based on a constructive election is improper. Nevertheless, to expedite examination of this application, Applicants have cancelled claims 32-38 from this application.

PATENTABILITY OF THE INVENTION

In the Office Action, the Examiner rejected claims 39-45, 49 and 50 under 35 USC §102(b) as being anticipated by Pomerleau (U.S. Patent 5,091,780); rejected claims 46-48, 51 and 52 under 35 USC §103(a) as being unpatentable over Pomerleau in view of Skarbo et al. (U.S. Patent 5,778,053); and rejected claims 1, 2, 4, 5, 7-9, 11-18, 53-57 and 58-66 under 35 USC §103(a) as being unpatentable over Pomerleau in view of Crain (U.S. Patent 4,962,473). These rejections are fully traversed below.

Pomerleau describes a security system that includes a device for monitoring an area under surveillance to acquire images, and a device for processing the images to determine whether the area is a desired state or an undesired state. The processing device is trainable to learn the difference between the desired state and the undesired state. The security system also has an alarm 22 to sound an alert 40.

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Claim 1 pertains to a surveillance method for operating a general purpose computer to provide remote surveillance of an internal area of a building. Among other things, claim 1 recites "wherein said notifying includes at least transmitting the surveillance image to a remote computer over a global computer network automatically when the activity condition is detected" (Claim 1, lines 11-13). In the Office Action (paragraph 7), the Examiner suggests that the "the network buffer would be able to transmit the live video image to the VCR 42 of fig. 3)." Applicants respectfully disagree. The alarm 22 of Pomerleau is not described as capable of transmitting images over a global computer network. As shown in Fig. 3 of Pomerleau, the alarm 22 can have different outputs, including (1) a VCR 42 activated to record the intruder, (2) a local audible alarm 50 for scaring the intruder, (3) a guard alert 52 signal that notifies the on-site security guard of the intrusion, and (4) a police alarm 54 for summoning the authorities. Pomerleau, col. 6, lines 32-39. Further, neither the alarm 22 nor the network buffer 21 are described or illustrated in Pomerleau as connecting to a global computer network. At best, the network buffer 21 contains weights 24 from training (col. 6, lines 29-31). The network 20 in Pomerleau appears to pertain to a neural network that is being trained to learn the difference between the desired state and the undesired state. Hence, Pomerleau does not teach or suggest transmitting a surveillance image to a remote computer over a global computer network.

Moreover, the Examiner admits that Pomerleau fails to teach use of an electronic mail message to transmit a surveillance image to a remote computer over a network. However, in an attempt to overcome the serious deficiencies of Pomerleau, the Examiner combines Pomerleau with Crain in order to reject certain of the claims. Crain describes an emergency response system that includes an environment & security processor 35 that receives input video sources and can display such videos on displays at consoles, e.g., a command center console 14 and a guard post console 10. Crain, col. 4, lines 41-56. There is no teaching or suggestion for any use of an electronic mail message to transmit a surveillance image to a remote computer over a global computer network. Accordingly, like Pomerleau, Crain also fails to teach or suggest transmitting a surveillance image to a remote computer over a global computer network.

Still further, given the disparate teachings of Pomerleau and Crain, one skilled in the art would not be motivated to combine these reference in the manner that the Examiner proposes. Although col. 13, line 67 of Crain mentions electronic mail as another application that could be run on a user interface computer 66 with the security related application, the discussion is with respect to separate programs that are unrelated to one another, and thus

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provides no hint, suggestion or motivation to transmit notifications using electronic mail messages to transmit surveillance images over a global computer network. Accordingly, it is respectfully submitted that the combination of Pomerleau and Crain is improper.

Therefore, it is submitted that claim 1 is patentable distinct over Pomerleau and Crain for at least the reasons noted above.

Claim 8 pertains to a system for providing remote visual monitoring of a location. Further, claim 8 recites limitations similar to those discussed above regarding claim 1. Hence, it is submitted that claim 8 is patentable distinct from the combination of Pomerleau and Crain for at least similar reasons as claim 1.

Claim 53 pertains to a surveillance method for operating a general purpose computer to provide remote surveillance of an internal area of a building. Among other things, claim 53 recites "wherein said notifying includes at least transmitting the surveillance image to a remote computer over a network automatically when the activity condition is detected, wherein the network comprises the Internet" (claim 53, lines 10-12). The alarm 22 of Pomerleau is not described as capable of transmitting images to a remote computer over a network that includes the Internet when an activity condition is detected. As shown in Fig. 3 of Pomerleau, the alarm 22 can have different outputs, including (1) a VCR 42 activated to record the intruder, (2) a local audible alarm 50 for scaring the intruder, (3) a guard alert 52 signal that notifies the on-site security guard of the intrusion, and (4) a police alarm 54 for summoning the authorities. Pomerleau, col. 6, lines 32-39. Further, neither the alarm 22 nor the network buffer 21 are not described or illustrated as connecting to a network including the Internet. At best, the network buffer 21 contains weights 24 from training (Pomerleau, col. 6, lines 29-31). The network 20 in Pomerleau appears to pertain to a neural network that is being trained to learn the difference between the desired state and the undesired state. Hence, Pomerleau does not teach or suggest transmitting a surveillance image to a remote computer over a network including the Internet when an activity condition is detected.

In addition, claim 53 recites "wherein the remote computer is an Internet server that stores images from a plurality of different cameras, and wherein the interested user is thereafter able to view at least certain of the images from the local camera by accessing the Internet server via a web browser application on a user's computer" (claim 53, lines 13-16). Neither Pomerleau nor Crain teach or suggest such limitations.

Hence, it is submitted that claim 53 is patentable distinct from the combination of Pomerleau and Crain.

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Claim 58 pertains to a system for providing remote visual monitoring of a location. Among other things, claim 58 recites "wherein said local general purpose computer automatically forwards the image to said Internet server over a network when the activity condition is present, and said local general purpose computer does not forward the image to said Internet server over the network when the activity condition is not present, wherein the network comprises the Internet" (claim 58, lines 11-15). The alarm 22 of Pomerleau is not described as capable of forwarding images to a remote computer over a network that includes the Internet when an activity condition is detected. As shown in Fig. 3 of Pomerleau, the alarm 22 can have different outputs, including (1) a VCR 42 activated to record the intruder, (2) a local audible alarm 50 for scaring the intruder, (3) a guard alert 52 signal that notifies the on-site security guard of the intrusion, and (4) a police alarm 54 for summoning the authorities. Pomerleau, col. 6, lines 32-39. Further, neither the alarm 22 nor the network buffer 21 are not described or illustrated as connecting to a network including the Internet. At best, the network buffer 21 contains weights 24 from training (Pomerleau, col. 6, lines 29-31). The network 20 in Pomerleau appears to pertain to a neural network that is being trained to learn the difference between the desired state and the undesired state. Hence, Pomerleau does not teach or suggest forwarding an image to an Internet server over a network including the Internet when an activity condition is present.

In addition, claim 58 recites "wherein said Internet server stores the images forwarded thereto from said local general purpose computer, and wherein an interested user is thereafter able to view the images from the local camera by accessing the Internet server via a web browser application on said user's computer" (claim 58, lines 16-19). Neither Pomerleau nor Crain teach or suggest such limitations.

Hence, it is submitted that claim 58 is patentable distinct from the combination of Pomerleau and Crain.

Claim 39 has been amended to effectively place claim 46 in independent form and to specify that the network is a global computer network. Claim 49 has been amended to include the limitations of claim 51. For reasons similar to those provided above, it is submitted that claims 39 and 46 are patentable distinct from the combination of Pomerleau and Crain. Claims 46-48, 51 and 52 were, however, rejected by Pomerleau and Skarbo et al.

Skarbo et al. describes answering machine services for data conferences. The data conferencing system 100 uses a plurality of nodes or personal computers 110, 120 and 130. Data (e.g., AV streams) are transmitted to and from the various nodes. The system provides answering machine services that allow data conferencing callees by providing "answering

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machine" capabilities. The callee receives a greeting and can leave a message (e.g., text, audio or AV).

Neither Pomerleau nor Skarbo et al. teaches or suggests (i) "transmitting a message over a global computer network to a remote computer, the message including at least the current image, wherein the message being transmitted to the remote computer is an electronic mail message" as recited in claim 39, or (ii) "wherein the network comprises the Internet, and wherein the remote computer is an Internet server that stores images from a plurality of different cameras, and wherein an interested user is able to view at least certain of the images by accessing the Internet server via a web browser application on a user computer" as recited in claim 49. Hence, even if Skarbo et al. were combined with Pomerleau, the combination would not only be improper but also the combination would not teach or suggest the invention recited in claims 39 or 49.

Based on the foregoing, it is submitted that claims 1, 8, 39, 49, 53 and 58 are patentably distinct from Pomerleau, Crain and/or Skarbo et al. In addition, it is submitted that dependent claims 2, 4, 5, 7, 9, 11-18, 40-44, 47, 48, 50, 52, 54-57 and 59-66 are also patentably distinct for at least the same reasons. The additional limitations recited in the independent claims or the dependent claims are not further discussed as the above-discussed limitations are clearly sufficient to distinguish the claimed invention from Pomerleau, Crain and/or Skarbo et al. Thus, it is respectfully requested that the Examiner withdraw the rejection of claims 1, 2, 4, 5, 7-9, 11-18, 39-44, 47-50 and 52-66 under 35 USC §102(b), §103(a).

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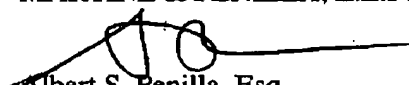
SUMMARY

It is submitted that the Restriction Requirement, although improper, has been complied with. Therefore, it is submitted that claims 1, 2, 4, 5, 7-9, 11-18, 39-44, 47-50 and 52-66 are patentably distinct from the cited references. Reconsideration of the application and an early Notice of Allowance are earnestly solicited.

If there are any issues remaining which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

Applicants hereby petition for an extension of time which may be required to maintain the pendency of this case, and any required fee for such extension or any further fee required in connection with the filing of this Amendment is to be charged to Deposit Account No. 50-0805 (Order No. ATCP97-1A).

Respectfully submitted,
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MARKED CLAIMS INDICATING CHANGES MADE

(Claims 1, 8, 39, 47, 49 and 52 amended, and claims 32-38, 45-46 and 51 cancelled.)

1. (Four Times Amended) A surveillance method for operating a general purpose computer to provide remote surveillance of an internal area of a building, comprising:

receiving a surveillance image from a local camera directed at the internal area of the building;

comparing the surveillance image with a reference image to produce a comparison result;

detecting presence of an activity condition based on the comparison result; and

notifying an interested user of the activity condition when the presence of the activity condition is detected,

wherein said notifying includes at least transmitting the surveillance image to a remote computer over a global computer network automatically when the activity condition is detected, and

wherein said transmitting includes forming an electronic mail message having a predetermined mailing address, the predetermined mailing address being associated with the interested user, and electronically mailing the surveillance image to the remote computer over the network using the electronic mail message.

8. (Four Times Amended) A system for providing remote visual monitoring of a location, said system comprising:

a camera for obtaining an image of the location;

a remote computer having a display device capable of viewing images, said remote computer being remote from the location;

a local general purpose computer operatively connected to said camera, said local general purpose computer operates to receive the image from the camera and to determine whether an activity condition is present,

wherein said local general purpose computer automatically forwards the image to said remote computer over a global computer network when the activity condition is present, and said local general purpose computer does not forward the image to said remote computer over the network when the activity condition is not present, and

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wherein when forwarding the image to said remote computer over the network, said local general purpose computer automatically creates an electronic mail message to a predetermined user associated with the remote computer, the electronic mail message having the image included or attached thereto, and then automatically sends the electronic mail message to said remote computer for the predetermined user.

39. (Twice Amended) A method for operating a general purpose computer to detect an activity condition using a camera, comprising the acts of:

- (a) receiving a reference image from a camera directed in a predetermined direction;
- (b) storing a reference image;
- (c) receiving a current image from a camera directed in the predetermined direction;
- (d) comparing the current image with the reference image to detect an activity

condition; [and]

(e) signaling an alarm condition when said comparing detects the activity condition without using any special purpose hardware other than the general purpose computer and the camera; and

transmitting a message over a global computer network to a remote computer, the message including at least the current image,

wherein the message being transmitted to the remote computer is an electronic mail message.

47. (Once Amended) A method as recited in claim [46] 39, wherein said comparing (d) of the current image with the reference image to detect the activity condition comprises:

- determining a difference value between the current image and the reference image;
- comparing the difference value with a predetermined threshold value; and
- detecting the activity condition when the difference value exceeds the predetermined threshold value.

49. (Once Amended) A method [as recited in claim 39, wherein said signaling (e) of the alarm condition comprises:] for operating a general purpose computer to detect an activity condition using a camera, comprising the acts of:

- (a) receiving a reference image from a camera directed in a predetermined direction;
- (b) storing a reference image;

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(c) receiving a current image from a camera directed in the predetermined direction;

(d) comparing the current image with the reference image to detect an activity condition;

(e) signaling an alarm condition when said comparing detects the activity condition without using any special purpose hardware other than the general purpose computer and the camera; and

(f) transmitting at least the current image over a network to a remote computer upon detecting the activity condition,

wherein the network comprises the Internet, and

wherein the remote computer is an Internet server that stores images from a plurality of different cameras, and wherein an interested user is able to view at least certain of the images by accessing the Internet server via a web browser application on a user computer.

52. (Once Amended) A method as recited in claim [51] 49, wherein said comparing (d) of the current image with the reference image to detect the activity condition comprises:

determining a difference value between the current image and the reference image;
detecting the activity condition based on the different value.